IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE B.PRAKASH RAO

AND

THE HON'BLE MR. JUSTICE RAMESH RANGANATHAN

WRIT APPEAL NO. 1104 OF 2006

Dated: October 27, 2006

Between:

M.Chinna Rao

Appellant

AND

The Divisional Co-Operative Officer,
Bapuji Nagar, Kovvur,
West Godavari District and two others

Respondents

JUDGMENT:

(Per the Hon'ble Sri Justice B.Prakash Rao)

Heard both sides.

This Writ Appeal is preferred at the instance of

unsuccessful writ petitioner in WP No. 21442 of 2005, who was initially granted interim order on 30.9.2005 in WP MP No.27479 of 2005, which had been vacated subsequently on 21.9.2006 in WV MP No. 3031 of 2005, at the instance of the contesting respondent – third respondent herein.

After hearing both the counsel, the main grievance of the appellant, in fact, is that the third respondent, who was initially appointed as an Attender, should not have been given promotion over and above the appellant herein.

Considering the fact that the appellant was appointed in the year 1988, as Clerk, whereas the third respondent was appointed in the year 1986, in the officer cadre, the learned Single Judge did not find favour with the appellant and vacated the interim order, which had been granted earlier.

Having regard to the fact that the appeal is preferred against an interlocutory order and the question raised in this appeal can as well be urged before the learned Single Judge in the writ petition, we are not inclined to interfere with the impugned order. Consequently, the appeal is dismissed. No order as to costs.

Expedite hearing of the writ petition.

B.Prakash Rao, J.

Ramesh Ranganathan, J.

October 27, 2006
MAS.